

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95342

Woo Heon SONG, et al.

Appln. No.: 10/596,187

Group Art Unit: 1615

Confirmation No.: 3273

Examiner: not yet assigned

Filed: May 21, 2007

For: THE ENTERIC COATED PHARMACEUTICAL ORAL FORMULATIONS COMPRISING  
ACID-LABILE ACTIVE SUBSTANCES, AND A METHOD THEREOF

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

**ATTN:** Office of Initial Patent Examination  
Filing Receipt Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request  
the following correction:

**Power of Attorney**

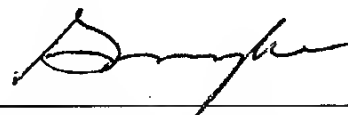
~~None~~ The patent practitioners associated with Customer Number 23373.

**Assignment For Published Patent Application**

GL Pharm Tech Corp.

Verification for the requested correction is indicated on the Declaration and Power of Attorney  
filed May 21, 2007 and the Assignment filed on May 18, 2007.

Respectfully submitted,



Sunhee Lee  
Registration No. 53,892

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 21, 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPL NO.   | FILING OR 371(c)<br>DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | TOT CLMS | IND CLMS |
|------------|--------------------------|----------|---------------|-----------------|----------|----------|
| 10/596,187 | 05/21/2007               | 1615     | 515           | Q95342          | 6        | 2        |

CONFIRMATION NO. 3273

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

**DOCKETED**

AUG 15 2007

**FILING RECEIPT**

\*OC000000025335030\*

Date Mailed: 08/14/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Woo Heon Song, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Hun Sik Wang, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Min Chang Kwon, Seoul, KOREA, REPUBLIC OF;  
 Jun Sang Park, Gyeonggi-do, KOREA, REPUBLIC OF;

Assignment For Published Patent Application  
 GL Pharm Tech Corp.

**Power of Attorney:** [None] The patent practitioners associated with Customer Number 23373.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/KR06/00459 02/08/2006

**Foreign Applications**

REPUBLIC OF KOREA 10-2005-0012104 02/14/2005

If Required, Foreign Filing License Granted: 08/11/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/596,187**

Projected Publication Date: 11/22/2007

Non-Publication Request: No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Enteric Coated Pharmaceutical Oral Formulations Comprising Acid-Labile Active Substances, and a Method Thereof

**Preliminary Class**

424

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (37 C.F.R. 1.63)

## 특허 출원 관련 선언 및 위임장

### Korean Language Declaration

#### 한국어 선언서

본인은 다음과 같이 선언합니다.

I hereby declare that:

각 발명자의 거주지, 우편 주소 및 국적은 하기 각 발명자의 성명의 아래칸에 기재된 것과 동일합니다.

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

본인은, 하기의 발명자(들)이, 다음의 제목을 갖는 발명과 관련하여 특허를 받고자 하며 또 특허청구 범위에 기재되어 있는 대상에 대하여 원래의 최초 발명자(들)이라고 믿습니다.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THE ENTERIC COATED PHARMACEUTICAL ORAL  
FORMULATIONS COMPRISING ACID-LABILE ACTIVE  
SUBSTANCES, AND A METHOD THEREOF

☐ 명세서는 첨부된 바와 같습니다.

☐ the specification of which is attached hereto

또는

OR

☐ 미합중국 출원번호 또는 PCT 국제 출원 번호는 \_\_\_\_\_ (확인번호 \_\_\_\_\_)로  
\_\_\_\_\_ 일에 출원되었고  
\_\_\_\_\_ 일에 보정되었음 (해당 경우).

☒ was filed on June 2, 2006  
as United States Application Number or PCT  
International Application Number 10/596,187  
(Confirmation No. 3273),  
and was amended on \_\_\_\_\_  
(if applicable).

본인은 위에 구체적으로 언급된 보정서에 의해 보정된 상기 명세서 (특허청구 범위 포함)의 내용을 검토 및 이해했음을 확인합니다.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

본인은 연방 규정 코드 제 37장 제 1.56항에 규정된 바에 따라, 특허성의 판단에 중요한 자료 정보를 공개할 의무가 있음을 인정하며, 이와 같은 의무에는, 부분 연속 출원(들)의 경우에, 선 출원의 출원일과 부분 연속 출원의 국내 출원일 혹은 PCT 국제 출원일 사이에 입수되었던 중요한 자료 정보를 공개하는 것이 포함됨을 인정합니다.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

## Korean Language Declaration

본인은 아래 기재된 바와 같은 외국 특허출원(들), 외국 발명자증 출원(들) 또는 외국 식물 육종가 권리증 출원(들)에 기초하여 미합중국 코드 제 35장 제 119(a)-(d)항 또는 (f)항, 또는 365(b)항에 규정된 외국 우선권 혹은 미합중국을 제외한 최소한 한 국가를 지정하는 PCT 국제출원(들)에 기초하여 미합중국 코드 제 35장 제 365(a)항에 규정된 외국 우선권을 주장하며, 나아가 우선권이 주장되는 출원의 출원일 이전에 출원된 외국 특허출원(들), 외국 발명자증 출원(들) 혹은 외국 식물육종가 권리증(들) 또는 PCT 국제출원(들)도 아래 해당란을 체크함으로써 표시하였습니다.

Prior Foreign Application Number(s)  
이전의 외국 출원번호(들)

|                      |                   |
|----------------------|-------------------|
| 10-2005-0012104      | Republic of Korea |
| (Application Number) | (Country)         |
| (출원 번호)              | (국가)              |

|                      |           |
|----------------------|-----------|
|                      |           |
| (Application Number) | (Country) |
| (출원 번호)              | (국가)      |

본인은 미합중국 코드인 제35장 제 119(e)항에 명시된 바와 같이 하기 미합중국 가출원의 국내 우선권을 주장합니다.

|                      |               |
|----------------------|---------------|
|                      |               |
| (Application Number) | (Filing Date) |
| (출원 번호)              | (출원 일자)       |

|                      |               |
|----------------------|---------------|
|                      |               |
| (Application Number) | (Filing Date) |
| (출원 번호)              | (출원 일자)       |

본인은 미합중국 코드 제 35장 제 120항에 의거 미합중국 출원(들)의 이익 또는 제 365(c)항에 의거 미합중국을 지정하는 PCT 국제출원(들)의 이익을 하기와 같이 주장합니다. 또한, 본 특허출원의 각 특허청구범위에 기재된 대상이 미합중국 코드 제 35장 제 112항의 첫번째 패러그래프에 규정된 바에 따라 선 미합중국 출원 또는 선 PCT국제출원에 기재되어 있지 않은 경우에는, 본 출원의 특허성을 판단하는데 중요한 자료 정보로서 선 출원의 출원일과 본 출원의 국내 출원일 또는 PCT 국제 출원일 사이에 발생한 모든 자료 정보들을 공개할 의무가 있음을 인정합니다.

Prior U.S. or International Application Number(s)  
이전의 국내 또는 국제 출원 번호(들)

|                      |                  |
|----------------------|------------------|
| PCT/KR2006/000459    | February 8, 2006 |
| (Application Number) | (Filing Date)    |
| (출원 번호)              | (출원 일자)          |

|                      |               |
|----------------------|---------------|
|                      |               |
| (Application Number) | (Filing Date) |
| (출원 번호)              | (출원 일자)       |

본인이 아는 한도 내에서 여기에 제공된 모든 내용이 사실이고, 제공된 정보나 소신이 모두 사실임을 확인하며, 더 나아가 미합중국 코드 제 18장의 1001항에 명시된 바와 같이 그 외의 허위 진술 및 이와 유사한 행위는 벌금이나 투옥으로 처벌 받거나 벌금과 감옥형을 모두 받을 수 있고 어떠한 고의의 허위 진술은 특허 출원이나 후에 발급된 특허의 유효성을 위태롭게 함을 인지하면서 여기에 진술함을 선언합니다.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Priority Claimed?

우선권 주장함

Yes No

예 아니오

☒ ☐

February 14, 2005

(Filing Date)

(출원 일자)

(Filing Date)

(출원 일자)

☐ ☐

I hereby claim domestic priority under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

I hereby claim benefit under 35 U.S.C. 120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Status: patented, pending, abandoned)

(현황: 특허 획득, 출원중, 포기)

(Status: patented, pending, abandoned)

(현황: 특허 획득, 출원중, 포기)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Korean Language Declaration

위임장: 본인은 본건 출원을 수행하고 그와 관련하여 미국 특허상표청 업무의 모든 사무를 처리하기 위하여 하기 표기한 USPTO 고객 번호에 등재된 SUGHRUE MION, PLLC의 모든 변호사들을 본인의 대리인으로 지명하는 바이며, 해당 고객 번호에 등재된 어떤 특정 변호사들이 Sughrue Mion, PLLC의 재량에 따라 수시로 변동될 수 있음을 인정하며, 출원에 대한 모든 서신을 동일한 USPTO 고객 번호에 기재된 주소로 송부해 줄 것을 요청합니다.

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

### STATEMENT OF ACCURATE TRANSLATION IN ACCORDANCE WITH 37 C.F.R. §1.69(b):

The declaration and power of attorney is an accurate translation of the corresponding English language declaration and power of attorney.

Signature Jane Lee  
Date April 12, 2004

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

직통 전화 번호:

SUGHRUE MION, PLLC  
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Direct Telephone Calls to:

SUGHRUE MION, PLLC  
(202) 293-7060

|  |  |                                |  |
|--|--|--------------------------------|--|
| <b>NAME OF SOLE OR FIRST INVENTOR:</b><br>단독 혹은 최초 발명자의 성명                         |  |                                |  |
| Given Name (first and middle [if any])<br>이름(성씨는 제외)                               |  | Family Name or Surname<br>성(姓) |  |
| Woo Heon   |  | SONG                           |  |
| Inventor's signature<br>발명자의 서명  |  | Date<br>일자                     |  |
| <u>Woo Heon Song</u>   |  | <u>June 1, 2006</u>            |  |
| Residence:<br>거주지:   |  | Citizenship<br>국적              |  |
| 702-503, Gyeongnam Apt., 526   |  | Republic of Korea              |  |
| Mailing Address: Yatap-dong, Bundang-ku, Seongnam-si<br>우편 주소: Gyeonggi-do 463-839 |  |                                |  |
| <b>NAME OF SECOND INVENTOR:</b><br>두번째 발명자의 성명                                     |  |                                |  |
| Given Name (first and middle [if any])<br>이름(성씨는 제외)                               |  | Family Name or Surname<br>성(姓) |  |
| Hun Sik  |  | WANG                           |  |
| Inventor's signature<br>발명자의 서명  |  | Date<br>일자                     |  |
| <u>Hun Sik Wang</u>  |  | <u>June 1, 2006</u>            |  |
| Residence:<br>거주지:   |  | Citizenship<br>국적              |  |
| 129-301 Kolon Apt., 330  |  | Republic of Korea              |  |
| Mailing Address: Yatap-dong, Bundang-ku, Seongnam,<br>우편 주소: Gyeonggi-do 463-828   |  |                                |  |

|   |  |                                |  |
|---|--|--------------------------------|--|
| <b>NAME OF THIRD INVENTOR:</b><br>세번째 발명자의 성명           |  |                                |  |
| Given Name (first and middle [if any])<br>이름(성씨는 제외)    |  | Family Name or Surname<br>성(姓) |  |
| Min Chang   |  | KWON                           |  |
| Inventor's signature<br>발명자의 서명                         |  | Date<br>일자                     |  |
| <i>Min Chang Kwon</i>                                   |  | June 1, 2006                   |  |
| Residence:<br>거주지:                                      |  | Citizenship<br>국적              |  |
| 6-101 Dongsung Villa                                    |  | Republic of Korea              |  |
| Mailing Address:<br>우편 주소:                              |  |                                |  |
| Hwigyeong 2-dong, Dongdaemun-ku,<br>Seoul 130-874       |  |                                |  |
| <b>NAME OF FOURTH INVENTOR:</b><br>네번째 발명자의 성명          |  |                                |  |
| Given Name (first and middle [if any])<br>이름(성씨는 제외)    |  | Family Name or Surname<br>성(姓) |  |
| Jun Sang  |  | PARK                           |  |
| Inventor's signature<br>발명자의 서명                         |  | Date<br>일자                     |  |
| <i>Jun Sang Park</i>                                    |  | June 1, 2006                   |  |
| Residence:<br>거주지:                                      |  | Citizenship<br>국적              |  |
| 108-203 Daewoo Apt., 77,                                |  | Republic of Korea              |  |
| Mailing Address:<br>우편 주소:                              |  |                                |  |
| Gumi-dong, Bundang-ku, Seongnam,<br>Gyeonggi-do 463-809 |  |                                |  |



## Assignment

Whereas, I/We, Woo Heon SONG; Hun Sik WANG; Min Chang KWON; Jun Sang PARK of 702-503, Gyeongnam Apt., 526, Yatap-dong, Bundang-ku, Seongnam-si; Gyeonggi-do 463-839, Republic of Korea, 129-301 Kolon Apt., 330, Yatap-dong, Bundang-ku, Seongnam, Gyeonggi-do 463-828, Republic of Korea, 6-101 Dongsung Villa., 43-198, Hwigyeong 2-dong, Dongdaemun-ku, Seoul 130-874, Republic of Korea, 108-203 Daewoo Apt., 77, Gumi-dong, Bundang-ku, Seongnam, Gyeonggi-do 463-809, Republic of Korea, respectively, hereinafter called assignor(s), have invented certain improvements in THE ENTERIC COATED PHARMACEUTICAL ORAL FORMULATIONS COMPRISING ACID-LABILE ACTIVE SUBSTANCES, AND A METHOD THEREOF and executed an application for Letters Patent of the United States of America therefor on \_\_\_\_\_; and

Whereas, GL PharmTech Corp., 358-11 DDC-BIONET Sangdaewon-dong, Joongwon-ku, Seongnam, Kyonggi-do 462-120 Republic of Korea (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and I/we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number 10/596,187 and Confirmation number 3273, filed June 2, 2006) the application number and filing date of said application when known.

|       |                     |                       |
|-------|---------------------|-----------------------|
| Date: | <u>June 1, 2006</u> | <u>Woo Heon Song</u>  |
|       | s/Woo Heon SONG     |                       |
| Date: | <u>June 1, 2006</u> | <u>Hun Sik Wang</u>   |
|       | s/Hun Sik WANG      |                       |
| Date: | <u>June 1, 2006</u> | <u>Min Chang Kwon</u> |
|       | s/Min Chang KWON    |                       |
| Date: | <u>June 1, 2006</u> | <u>Jun Sang Park</u>  |
|       | s/Jun Sang PARK     |                       |

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)